

**UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF NEW YORK**

**IN THE MATTER OF THE EXTRADITION
OF Nokour Chougui ALI**

11-M- 2057

**COMPLAINT FOR PROVISIONAL ARREST
WITH A VIEW TOWARDS EXTRADITION
(18 U.S.C. § 3184)**

I, the undersigned Assistant United States Attorney, being duly sworn, state on information and belief that the following is true and correct:

1. There is an Extradition Treaty, as amended by Protocols, in force between the United States and Canada, 27 UST 983, TIAS 8237.
2. The Treaty provides in Article 11 for the provisional arrest and detention of alleged fugitives pending the submission of a formal request and supporting documents.
3. In accordance with Article 11 of the Treaty, the Government of Canada has asked the United States for the provisional arrest of Nokour Chougui ALI with a view towards extradition.
4. According to the Information provided by the requesting state in the form authorized by the Treaty, Nokour Chougui ALI was charged with Attempted Murder with Firearm, in violation of section 239(1)(a) of the Criminal Code of Canada ("CCC"), Firearm in Vehicle in violation of Section 94 of the CCC, Possess Weapons Dangerous in violation of Section 88 of the CCC, Discharge Firearm With Intent to Endanger Life in violation of Section 244.1(b) of the CCC, Careless Use of Firearm in violation of Section 86(1) of the CCC, Point Firearm in violation of section 87 of the CCC, Unauthorized Possession of Firearm in violation of section 91(1) of the CCC, Knowledge of Unauthorized Firearm in violation of Section 92(1) of the CCC, Possess Firearm while Prohibited in violation of Section 117.01(1) of the CCC, and Breach of Young Offender Probation in violation of section 137 of the Youth Criminal Justice Act.

A warrant for his arrest was issued on June 6, 2011, by a Justice of the Peace in the City of Greater Sudbury, Ontario, Canada pursuant to Sections 507 and 512 of the Criminal Code of Canada.

5. The warrant was issued on the basis of the following facts:

On the evening of April 14, 2011, Nokour Chougui ALI and another male, Moussa Babalkher ("Babalkher") were involved in the assault and shooting of Joshua O'Neill ("O'Neill"). O'Neill was working at the Sold Gold Lounge in Sudbury, Ontario, on that night as a doorman. He asked both Babalkher and Nokour Chougui ALI to leave the lounge at which point Babalkher became enraged and attacked him with a belt wound around his fist. Both Babalkher and Nokour Chougui ALI returned to the vehicle they had arrived in, which was located in a far corner of the parking lot. The vehicle then drove back to the front of the lounge. Babalkher exited the vehicle and attacked O'Neill again. At that point Nokour Chougui ALI shot O'Neill from the vehicle, in both the chest and thigh. Several witnesses have been identified, one of whom identified Nokour Chougui ALI from a photo line up.

Nokour Chougui ALI is described as a male, approximately 6 feet tall and weighs about 160 pounds. He has black hair either in a "braided or afro style" and he has brown eyes. He is a citizen of Chad who was born on August 23, 1992. The requesting country has provided a copy of his photograph.

6. The requesting country has indicated that there are urgent circumstances that warrant ALI'S provisional arrest. Specifically, this matter is urgent because there is an imminent risk of flight for the following reasons:

- ALI was arrested on May 11, 2011, in Burke, New York after he told Border Services that he was a citizen of the United States and lived in New York City. ALI could not provide any form of identification and he was arrested approximately 5 miles from the Canadian border;
- ALI fled Ontario after the shooting and entered into Quebec. ALI was in contact with a resident in Montreal to ask him to bring him clothing and cigarettes. ALI has indicated that he will flee in order to evade detection; and
- ALI is not a citizen of either Canada or the United States and ALI may be deported to Chad shortly.

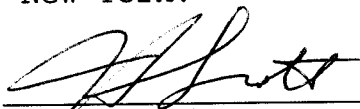
7. The offenses with which ALI is charged are provided for in Article 2 of the Extradition Treaty, as amended by the Protocols, cited above.
8. Nokour Chougui ALI may be found within the jurisdiction of this court at the Buffalo Federal Detention Facility located in Batavia, New York.
9. The requesting state has represented that it will submit a formal request for extradition, supported by the documents specified in the Treaty, within 60 days, as required by Article 11 of the Extradition Treaty, as amended by the Protocols.

WHEREFORE, the undersigned complainant requests that a warrant for the arrest of the aforementioned person be issued in accordance with Title 18, United States Code, Section 3184, and the Extradition Treaty between the United States and Canada, as amended by its Protocols.



PAUL J. CAMPANA
Assistant United States Attorney

Sworn to before me and subscribed in my presence this 15 day of June, 2011 at Buffalo, New York.



HUGH B. SCOTT
UNITED STATES MAGISTRATE JUDGE